

REMARKS

Claims 1 through 19 were presented for examination. Claims 1-2, 5-8, 11-15, and 18-19 were rejected, and claims 3-4, 9-10, and 16-17 were objected to but deemed allowable if rewritten in independent form.

Claim 1 has been amended to incorporate one of the limitations of dependent claim 3, and the applicants respectfully submit that the rejection of claim 1, as amended, is allowable.

With respect to claims 2, 5-8, 11-15, and 18-19, the applicants respectfully traverse the rejections.

35 U.S.C. 102 Rejection of Claims 1-2, 5-8, 11-15, and 18-19

Claims 1-2, 5-8, 11-15, and 18-19 were rejected under 35 U.S.C. 102(e) as being anticipated by B.H. Chen et al., U.S. Patent 6,658,258 (hereinafter "Chen").

Claim 1 recites:

1. (Original) A method comprising:

receiving a signal-strength measurement for a first downlink signal that is received by a wireless terminal and a signal-strength measurement for an uplink signal that is transmitted by said wireless terminal; and

estimating the location of said wireless terminal based on said signal-strength measurement for said first downlink signal and on said signal-strength measurement for said uplink signal

wherein estimating the location of said wireless terminal comprises pattern matching (i) said signal-strength measurement for said downlink signal against a map that correlates signal-strength measurements and locations.

(emphasis supplied)

Nowhere does Chen teach or suggest, alone or in combination with the other prior art, what claim 1 recites – namely, that estimating the location of the wireless terminal comprises pattern matching the downlink signal-strength measurement against a map that correlates signal-strength measurements and locations. For this reason, the applicants respectfully submit that the rejection of claim 1 is overcome.

Because claims 2 and 5-7 depend on claim 1, the applicants respectfully submit that the rejection of them is also overcome.

Claim 8 recites:

8. (Original) A method comprising:

receiving (i) a first signal-strength measurement for an uplink signal that is transmitted by a wireless terminal and received at a first location and (ii) a second signal-strength measurement for said uplink signal that is transmitted by said wireless terminal and received at a second location;

deducing the signal strength of a first downlink signal at said wireless terminal based on said first signal-strength measurement for said uplink signal;

deducing the signal strength of a second downlink signal at said wireless terminal based on said second signal-strength measurement for said uplink signal; and

estimating the location of said wireless terminal based on the deduced signal strength of said first downlink signal and on the deduced signal strength of said second downlink signal.

(emphasis supplied)

Nowhere does Chen teach or suggest, alone or in combination with the other prior art, what claim 8 recites – namely, deducing the signal strength of a downlink signal based on the signal strength of an uplink signal.

This is correct for two reasons.

First, Chen teaches that as the location of a wireless terminal changes and the signal strength of the forward-link signal from multiple base stations increases, the signal strength of the reverse-link signals are typically weaker. See Chen at Column 2, lines 25-29.¹ This is NOT deduction. It is merely an observation or a rule of thumb. Chen even admits this when he says “typically.” There is no logic or deductive reasoning. Deduction is a rigorous process of determining a fact based on a premise.

Second, the claims recite deducing the signal strength of the downlink signal from the uplink signal. Chen’s observation applies to the opposite – the uplink signal from the downlink. And one does not imply the other.

¹ “The present invention takes advantage of the present inventors’ recognition that when there are enough base stations visible to the mobile terminal to be able to use the forward-link geo-location techniques, then the reverse-link signals are typically weak.”

Chen, Column 2, lines 25-29.

Furthermore, nowhere does Chen teach or suggest, alone or in combination with the other prior art, what claim 8 recites – namely, estimating the location of the wireless terminal based on the deduced signal strength of the signal.

Chen merely observes the relationship in the signal strength of some signals. He never teaches or suggests how to use the deduced signal strength of the signal to estimate the location of the terminal.

For these reasons, the applicants respectfully submit that the rejection of claim 8 is traversed.

Because claims 11-14 depend on claim 8, the applicants respectfully submit that the rejection of them is also traversed.

Claim 15 recites:

15. (Original) A method comprising:
transmitting a request to a mobile switching center to make a first signal-strength measurement at a first location and a second signal-strength measurement at a second location for an uplink signal that is transmitted by a wireless terminal;
receiving a message from said mobile switching center that comprises said first signal-strength measurement and said second signal-strength measurement;
deducing the signal strength of a first downlink signal at said wireless terminal based on said first signal-strength measurement;
deducing the signal strength of a second downlink signal at said wireless terminal based on said second signal-strength measurement; and
estimating the location of said wireless terminal based on the deduced signal strength of said first downlink signal and on the deduced signal strength of said second downlink signal.
(emphasis supplied)

Nowhere does Chen teach or suggest, alone or in combination with the other prior art, what claim 15 recites – namely, deducing the signal strength of a downlink signal based on the signal strength of an uplink signal. Nor does Chen teach or suggest, alone or in combination with the other prior art, what claim 15 recites – namely, estimating the location of the wireless terminal based on the deduced signal strength of the signal.

For these reasons, the applicants respectfully submit that the rejection of claim 15 is traversed.

Because claims 16-19 depend on claim 15, the applicants respectfully submit that the rejection of them is also traversed.

Request for Reconsideration Pursuant to 37 C.F.R. 1.111

Having responded to each and every ground for objection and rejection in the Office action mailed December 2, 2005, applicants request reconsideration of the instant application pursuant to 37 CFR 1.111 and request that the Examiner allow all of the pending claims and pass the application to issue.

Should there remain unresolved issues the applicants respectfully request that Examiner telephone the applicants' attorney at 732-578-0103 x11 so that those issues can be resolved as quickly as possible.

Respectfully,
DeMont & Breyer, LLC

By Wayne S. Breyer
Wayne S. Breyer
Reg. No. 38089
Attorney for Applicants
732-578-0103 x12

Date 2 March 2006

DeMont & Breyer, L.L.C.
Suite 250
100 Commons Way
Holmdel, NJ 07733
United States of America